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9 *Attorneys for Defendant U.S. Bank National  
10 Association, As Trustee, Successor in Interest  
to Bank of America, National Association as  
11 Trustee as Successor by Merger to LaSalle  
Bank, National Association as Trustee for  
Washington Mutual Mortgage Pass-Through  
12 Certificates WMALT Series 2007-OCI Trust*

13 UNITED STATES DISTRICT COURT

14 DISTRICT OF NEVADA

15 ITALSPAIN CORPORATION,

2:16-cv-00308-APG-GWF

16 Plaintiff,

17 v.

18 JASON MOORE; THE MORTGAGE  
STORE FINANCIAL, INC., a California  
19 Corporation; U.S. BANK NATIONAL  
ASSOCIATION, AS TRUSTEE,  
20 SUCCESSOR IN INTEREST TO BANK  
OF AMERICA, NATIONAL  
ASSOCIATION AS SUCCESSOR BY  
21 MERGER TO LASALLE BANK,  
NATIONAL ASSOCIATION AS  
TRUSTEE FOR WASHINGTON  
22 MUTUAL MORTGAGE PASS-  
THROUGH CERTIFICATES WMALT  
23 SERIES 2007-OC1 TRUST; STATE OF  
NEVADA, DEPARTMENT OF  
24 EMPLOYMENT, TRAINING &  
REHABILITATION, EMPLOYMENT  
25 SECURITY DIVISION; and  
SUMMERLIN HOSPITAL MEDICAL  
26 CENTER,  
27

ORDER

28 Defendants.

BALLARD SPAHR LLP  
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LAS VEGAS, NEVADA 89106  
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1                   **STIPULATION AND ORDER FOR REMAND TO STATE COURT**

2                   Defendant U.S. Bank N.A. (“U.S. Bank”) and Plaintiff, Italspain Corporation  
 3 (“Plaintiff”), through their counsel of record, stipulate to remand of this action to  
 4 state court as follows:

5                   1. This action was originally filed in Nevada State Court. (Docket Entry 1-  
 6 1.)

7                   2. The Complaint does not allege the citizenship of Plaintiff or any of the  
 8 defendants. (Id.)

9                   3. U.S. Bank removed the case to this Court based on diversity jurisdiction.  
 10 (Docket Entry 1.)

11                  4. On March 18, 2016, the Court ordered U.S. Bank to show cause why this  
 12 action should not be remanded to state court for lack of subject matter jurisdiction.  
 13 (Docket Entry 12.)

14                  5. On May 27, 2016, the Court granted the parties 90 days to conduct  
 15 jurisdictional discovery. (Docket Entry 22.)

16                  6. The Court also directed U.S. Bank to file a brief and present evidence to  
 17 establish, by a preponderance of the evidence, that on the date of removal the  
 18 parties in this case were diverse and the amount in controversy exceeded \$75,000.  
 19 (Id.)

20                  7. The parties do not believe it would be fruitful to engage in costly  
 21 jurisdictional discovery and briefing of the jurisdictional issue given the relatively  
 22 modest amount in controversy.

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1       8. For these reasons, the parties stipulate and agree, subject to the approval  
 2 of the Court, that this case be remanded to Nevada Eighth District Court Case  
 3 Number A-15-729282-C.

4           IT IS SO STIPULATED.  
 5

6 LAW OFFICES OF MICHAEL F. BOHN, ESQ., 7 LTD	BALLARD SPAHR LLP
8 By: <u>/s/ Michael F. Bohn</u> 9 Michael F. Bohn, Esq. Nevada Bar No. 1641 10 376 East Warm Springs Rd., Suite 140 11 Las Vegas, Nevada 89119	By: <u>/s/ Justin A. Shiroff</u> Abran E. Vigil Nevada Bar No. 7548 Justin A. Shiroff Nevada Bar No. 12869 Holly Ann Priest Nevada Bar No. 13226 100 North City Parkway, Suite 1750 Las Vegas, Nevada 89106
12 Attorney for Plaintiff Italspain 13 Corporation	14 Attorneys for Defendant U.S. Bank 15 National Association, As Trustee, 16 Successor in Interest to Bank of 17 America, National Association as 18 Trustee as Successor by Merger to 19 LaSalle Bank, National Association as Trustee for Washington Mutual Mortgage Pass-Through Certificates WMALT Series 2007-OCI Trust

20  
21           IT IS SO ORDERED:  
22

23   
24 UNITED STATES DISTRICT JUDGE

25 DATED: July 20, 2016  
26

BALLARD SPAHR LLP  
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